

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ROBERT MORGALO,

Plaintiff

v.

No. 08-4079 (LTS)

RUBEN BLADES

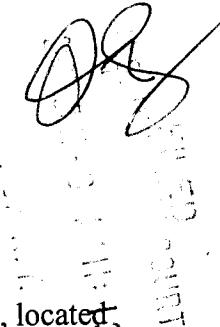
and

RUBEN BLADES PRODUCTIONS, INC.

Defendants



NOTICE OF MOTION



6/3/08
100-652896

Motion By: Plaintiff.

Date, Time and Place Returnable: On a date to be determined by the Court, located at the United States District Court for the Southern District of New York, 500 Pearl St., New York, New York 11201.

Relief Requested: An order, pursuant to Local Rule 1.3(c), admitting counsel *pro hac vice*.

Supporting Papers: Affidavit of Michael J Sheppard and exhibits.

Proposed Order: Annexed hereto.

Dated: New York, New York
20 May 2008

BALLON STOLL BADER AND NADLER, P.C.

By: 

Dwight Yellen (DY 6547)
Michael J. Sheppard (MS9115)
Attorneys for Plaintiff
1450 Broadway--14th Fl.
New York, New York 10018
Ph. 212.575.7900

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

ROBERT MORGALO,

Plaintiff

v.

No. 08-4079 (LTS)

RUBEN BLADES

and

RUBEN BLADES PRODUCTIONS, INC.

Defendants.

**PLAINTIFF'S MOTION TO ADMIT GILBERT B. ABRAMSON, ESQUIRE,
AND MICHAEL B. TOLCOTT, ESQUIRE, *PRO HAC VICE* TO THE
UNITED STATES DISTRICT COURT FOR THE SOUTHERN
DISTRICT OF NEW YORK**

MICHAEL J SHEPPEARD, of full age, being duly sworn according to law, upon his oath deposes and says:

1. I am a member of the bar of this court and associated with Ballon Stoll Bader & Nadler, P.C., attorneys for plaintiff in this matter. As such, I am fully familiar with the facts and proceedings of this action. I make this affidavit on behalf of plaintiffs in support of its application for an Order admitting Gilbert B. Abramson and Michael B. Tolcott *pro hac vice* as co-counsel, made pursuant to Local Rule 1.3(c).

2. As set forth in the accompanying affidavit (Exhibit A), Gilbert B. Abramson, Esquire, of the Pennsylvania law firm Gilbert B. Abramson & Associates, LLC, is a member in good standing of the bar of the Pennsylvania Supreme Court, the United States Supreme Court,

the United States District Court for the Eastern and Middle Districts of Pennsylvania, and the United States Courts of Appeals for the First, Second, Third and Fourth Circuits.

3. As set forth in the accompanying affidavit (Exhibit B), Michael B. Tolcott, Esquire, of the Pennsylvania law firm Gilbert B. Abramson & Associates, is a member in good standing of the bar of the Pennsylvania Supreme Court, the United States Court of Appeals for the Third Circuit, and the United States District Court for the Eastern District of Pennsylvania.

4. Plaintiff has requested to be represented by Gilbert B. Abramson, Esquire, Michael B. Tolcott, Esquire, and Gilbert B. Abramson & Associates, LLC.

5. There is good cause to admit Messrs. Abramson and Tolcott, insofar as, inter alia:

(a) Plaintiff is a citizen and resident of the Commonwealth of Pennsylvania, where the law firm of Gilbert B. Abramson & Associates, LLC is located.

(b) Plaintiff has chosen Messers. Abramson and Tolcott and the law firm of Gilbert B. Abramson & Associates, LLC to represent his interests with regard to this lawsuit.

(c) It is likely that Plaintiff will soon be named as a Defendant in a related, ongoing action in the United States District of Puerto Rico, William Anthony Colon v. Ruben Blades, U.S.D.C. P.R., Civil Action No. 07-1380 (the "Puerto Rico Action"), and Plaintiff will want Messrs. Abramson and Tolcott to represent him in the Puerto Rico Action.

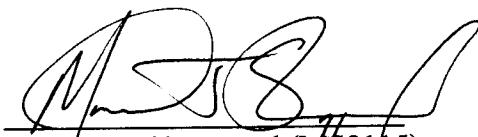
(d) The above-captioned action and the Puerto Rico Action arise from the same facts and raise the same issues, and decisions rendered in one of the actions may well affect Plaintiff's rights and liabilities in the other action. Accordingly, it would be appropriate to have the same counsel, i.e., Messrs. Abramson and Tolcott, represent Plaintiff in both actions.

(e) Messrs. Abramson and Tolcott have Plaintiff's full and complete trust and confidence.

(f) Dwight Yellen, Esquire and Michael J. Sheppeard, Esquire, of the law firm of Ballon Stoll Bader and Nadler, P.C., 729 Seventh Avenue, 17th floor, New York, N.Y. 10019 ("Local Counsel") have entered their appearance in this case. Local Counsel are thoroughly familiar with all applicable Rules and procedures of this Court. If this Motion is granted, Messrs. Abramson and Tolcott will continue to consult with Local Counsel, have Local Counsel review all pleadings before they are filed, and help ensure that Messrs. Abramson and Tolcott comply with all applicable Rules and procedures of this Court.

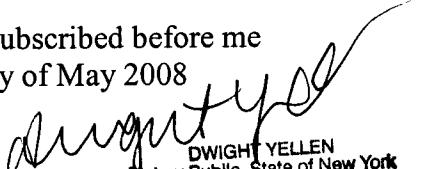
WHEREFORE, Plaintiff respectfully requests that this Honorable Court enter an Order in the proposed form, admitting Gilbert B. Abramson, Esquire and Michael B. Tolcott, Esquire *Pro Hac Vice* to represent Plaintiff in the above-captioned matter.

Dated: New York, New York
27 May 2008



Michael J. Sheppeard (MS9115)

Sworn and subscribed before me
this 24 day of May 2008



DWIGHT YELLEN
Notary Public, State of New York
No. 02YE4725587
Qualified in New York County
Commission Expires January 31, 2010

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

ROBERT MORGALO,

Plaintiff

v.

No. 08-4079 (LTS)

RUBEN BLADES

and

RUBEN BLADES PRODUCTIONS, INC.

Defendants

ORDER

AND NOW, upon consideration of Plaintiff's Motion for the Admission of Gilbert B. Abramson, Esquire and Michael B. Tolcott, Esquire *Pro Hac Vice*, the Motion is hereby **GRANTED**. It is further **ORDERED** that Gilbert B. Abramson, Esquire and Michael B. Tolcott, Esquire shall be admitted to practice before the United States District Court for the Southern District of New York with reference to the above-captioned matter. Messrs. Abramson and Tolcott shall:

- (1) Abide by all Rules of the United States District Court for the Southern District of New York, including all disciplinary rules;
- (2) Consent to the appointment of the Clerk of the Court of Appeals of New York as agent upon whom service of process may be made for all actions against the attorney or the attorney's firm that may arise out of their participation in the above-captioned matter; and

(3) Notify the Court immediately of any matter affecting either attorney's standing at the bar of any other court.

E N T E R:

Hon. Laura T. Swain

Dated: _____, 2008

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

ROBERT MORGALO,

Plaintiff

v.

C. A. No. 08-4079

RUBEN BLADES

and

RUBEN BLADES PRODUCTIONS, INC.

Defendants

SWORN AFFIDAVIT OF GILBERT B. ABRAMSON, ESQUIRE

GILBERT B. ABRAMSON, ESQUIRE, of full age, being duly sworn according to law, upon his oath deposes and says:

1. I, Gilbert B. Abramson, Esquire, am a citizen of the United States of America and of the Commonwealth of Pennsylvania, and I reside at 438 Warick Road, Wynnewood, Pennsylvania, 19096.

2. I am the principal of the law firm of Gilbert B. Abramson & Associates, LLC, 1339 Chestnut Street, Suite 510, Philadelphia, Pennsylvania, 19107.

3. I declare that I am a member in good standing of the Bar of the Commonwealth of Pennsylvania, the United States Supreme Court, the United States District Court for the Eastern and Middle Districts of Pennsylvania, and the United States Courts of Appeals for the First, Second, Third and Fourth Circuits.

4. I am associated in this matter with Dwight Yellen, Esquire, and Michael J. Sheppard, Esquire, who are counsel of record and are authorized to practice law before this Court.

5. Plaintiff, Robert Morgalo, has requested that I represent him in this matter, which is a defamation case, as well as in the related action William Anthony Colon v. Ruben Blades, U.S.D.C. P.R., Civil Action No. 07-1380, in which it is expected that Mr. Morgalo will soon be named as a Defendant.

6. I have 40 years of experience in the practice of law, and I have tried more than 70 jury trials in more than 10 jurisdictions.

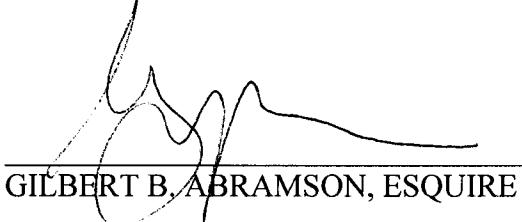
7. My experience includes a broad range of civil matters, including defamation cases such as the above-captioned matter.

8. I have Plaintiff's full trust and confidence.

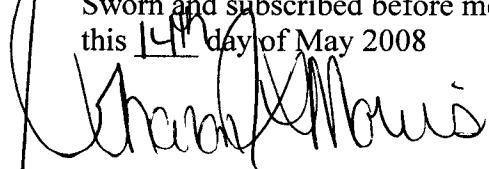
9. I affirm that no disciplinary proceedings are pending against me in any jurisdiction and that, in my 40 years of practicing law, no disciplinary proceedings have ever been pending against me in any jurisdiction.

10. I affirm that no discipline has previously been imposed upon me by any jurisdiction.

Dated: May 14, 2008


GILBERT B. ABRAMSON, ESQUIRE

Sworn and subscribed before me
this 14th day of May 2008


COMMONWEALTH OF PENNSYLVANIA
Notarial Seal
Sharon L. Morris, Notary Public
City Of Philadelphia, Philadelphia County
My Commission Expires July 26, 2010
Member, Pennsylvania Association of Notaries



Supreme Court of Pennsylvania

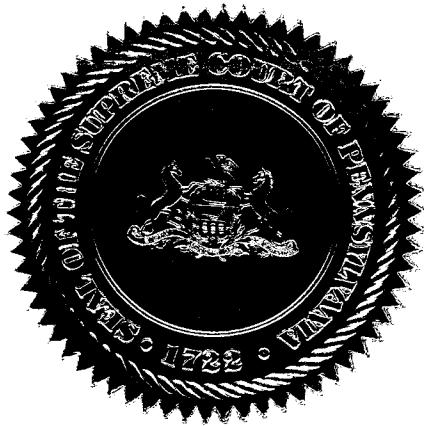
CERTIFICATE OF GOOD STANDING

Gilbert B. Abramson, Esq.

DATE OF ADMISSION

November 20, 1968

The above named attorney was duly admitted to the bar of the Commonwealth of Pennsylvania, and is now a qualified member in good standing.



Witness my hand and official seal

Dated: May 13, 2008

Patricia A. Johnson
Chief Clerk

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

ROBERT MORGALO,

Plaintiff

v.

C. A. No. 08-4079

RUBEN BLADES

and

RUBEN BLADES PRODUCTIONS, INC.

Defendants

SWORN AFFIDAVIT OF MICHAEL B. TOLCOTT, ESQUIRE

MICHAEL B. TOLCOTT, ESQUIRE, of full age, being duly sworn according to law, upon his oath deposes and says:

1. I, Michael B. Tolcott, Esquire, am a citizen of the United States of America and of the Commonwealth of Pennsylvania, and I reside at 1101 Rodman Street, Philadelphia, Pennsylvania, 19147.

2. I am a member of the law firm of Gilbert B. Abramson & Associates, LLC, 1339 Chestnut Street, Suite 510, Philadelphia, Pennsylvania, 19107.

3. I declare that I am a member in good standing of the Bar of the Commonwealth of Pennsylvania, the Supreme Court of Pennsylvania, the United States Court of Appeals for the Third Circuit, and the United States District Court for the Eastern District of Pennsylvania.

4. I am associated in this matter with Dwight Yellen, Esquire, and Michael J. Sheppard, Esquire, who are counsel of record and are authorized to practice law before this Court.

5. Plaintiff, Robert Morgalo, has requested that I represent him in this matter, which is a defamation case, as well as in the related action William Anthony Colon v. Ruben Blades, U.S.D.C. P.R., Civil Action No. 07-1380, in which it is expected that Mr. Morgalo will soon be named as a Defendant.

6. I have more than 26 years of experience in the practice of law, including defamation cases such as the above-captioned matter, as well as a broad range of other civil matters.

8. I have Plaintiff's full trust and confidence.

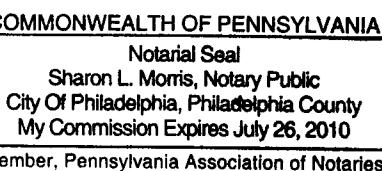
9. I affirm that no disciplinary proceedings are pending against me in any jurisdiction and that, in more than 26 years of practicing law, no disciplinary proceedings have ever been pending against me in any jurisdiction.

10. I affirm that no discipline has previously been imposed upon me by any jurisdiction.

Dated: 5/14/08


MICHAEL B. TOLCOTT

Sworn and subscribed before me
this 14 day of May, 2008



Member, Pennsylvania Association of Notaries



Supreme Court of Pennsylvania

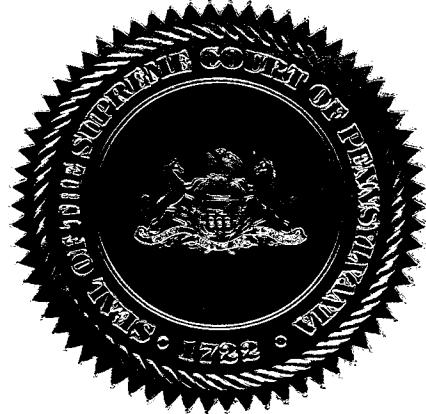
CERTIFICATE OF GOOD STANDING

Michael Tolcott, Esq.

DATE OF ADMISSION

November 6, 1981

The above named attorney was duly admitted to the bar of the Commonwealth of Pennsylvania, and is now a qualified member in good standing.



Witness my hand and official seal
Dated: May 13, 2008



Patricia A. Johnson
Chief Clerk

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

ROBERT MORGALO,

Plaintiff

v.

No. 08-4079 (LTS)

RUBEN BLADES

and

RUBEN BLADES PRODUCTIONS, INC.

Defendants

AFFIRMATION/CERTIFICATION OF SERVICE

MICHAEL J SHEPPEARD, an attorney duly admitted to practice before the Southern District of New York, Eastern District of New York, Courts of the State of New York and New Jersey, affirms, declares and certifies under penalty of perjury:

I am not a party to the action, am over 18 years of age, am an associate with Ballon Stoll Bader & Nadler, P.C. and have an office at 729 Seventh Ave—17th Fl., New York, New York 10019 and 505 Main Street, Hackensack, New Jersey 07601.

On 30 May 2008 I served or caused to be served a true copy of

- PLAINTIFF'S MOTION TO ADMIT GILBERT B. ABRAMSON, ESQUIRE, AND MICHAEL B. TOLCOTT, ESQUIRE, PRO HAC VICE TO THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF NEW YORK

By First Class Mail to:

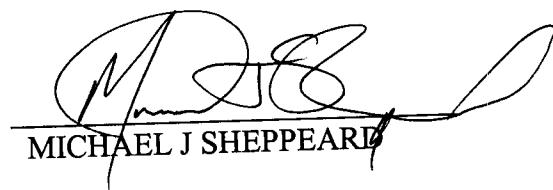
Ruben Blades Productions Inc.
135 West 50th
12th Fl.
New York, NY 10020

and

by Fed Ex to:

Pamela D. Gonzalez, Esq.
Bufete Roberto Corretjer Piquer
625 Avenue Ponce de Leon
San Juan, Puerto Rico 00917-4819

Dated: New York, New York
30 May 2008



MICHAEL J SHEPPARD